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CENTRAL FAX CENTER

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE OCT 22 2004**

Application Serial No. .... 10/039,225  
Filing Date ..... January 4, 2002  
Inventor.....Potrebic et al.  
Group Art Unit ..... 2614  
Examiner ..... Lee, Michael  
Attorney's Docket No. .... MS1-1050US  
Title: Method and Apparatus for Selecting Among Multiple Tuners

**RESPONSE TO OFFICE ACTION DATED OCTOBER 7, 2004**

To: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

From: Steven R. Sponseller (Tel. 509-324-9256 x250; Fax 509-323-8979)  
Lee & Hayes, PLLC  
421 W. Riverside Ave., Suite 500  
Spokane, WA 99201

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CENTRAL FAX CENTER

OCT 22 2004

PTO/5897 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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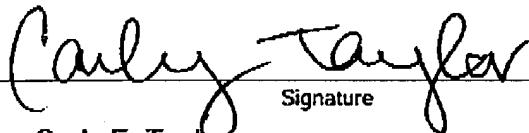
Application Number: 10/039,225

Filing Date: Jan 04, 2002

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the  
United States Patent and Trademark Office

on 10/22/04  
Date

  
Signature

Carly E. Taylor

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Note: Each paper must have its own certificate of transmission, or this certificate must identify  
each submitted paper.

1. Fee Transmittal
2. Response to the Office Action dated 10/7/04 (9 pages)

Total pages: 11  
(703) 872-9306  
MS1-1050US

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PTO/SB/17 (10-03)

Approved for use through 07/31/2006, OMB 0651-0032  
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# FEE TRANSMITTAL

## for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

## TOTAL AMOUNT OF PAYMENT

(\$0.00)

## Complete if Known

Application Number	10/039,225
Filing Date	Jan 04, 2002
First Named Inventor	Potrebic
Examiner Name	MILLER, JOHN W
Art Unit	2614
Attorney Docket No.	MS1-1050US

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit AccountDeposit Account Number  
Deposit Account Name

12-0769

Lee &amp; Hayes, PLLC

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001	2001	770	385	Utility filing fee	
1002	2002	340	170	Design filing fee	
1003	2003	530	265	Plant filing fee	
1004	2004	770	385	Reissue filing fee	
1005	2005	180	80	Provisional filing fee	
SUBTOTAL (1)				(\$0.00)	

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	=
			-3** =	X	=

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description
1202	2202	18	9	Claims in excess of 20
1201	2201	86	43	Independent claims in excess of 3
1203	2203	290	145	Multiple dependent claim, if not paid
1204	2204	86	43	** Reissue independent claims over original patent
1205	2205	18	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)				(\$0.00)

\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051	130	2051 65 Surcharge - late filing fee or oath	
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet	
1053	130	1053 130 Non-English specification	
1812	2,520	1812 2,520 For filing a request for ex parte reexamination	
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	
1251	110	2251 55 Extension for reply within first month	
1262	420	2262 210 Extension for reply within second month	
1263	950	2263 475 Extension for reply within third month	
1254	1,480	2254 740 Extension for reply within fourth month	
1255	2,010	2255 1,005 Extension for reply within fifth month	
1401	330	2401 165 Notice of Appeal	
1402	330	2402 165 Filing a brief in support of an appeal	
1403	290	2403 145 Request for oral hearing	
1451	1,510	1451 1,510 Petition to institute a public use proceeding	
1452	110	2452 55 Petition to revive - unavoidable	
1453	1,330	2453 665 Petition to revive - unintentional	
1501	1,330	2501 665 Utility issue fee (or reissue)	
1502	480	2502 240 Design issue fee	
1503	640	2503 320 Plant issue fee	
1460	130	1460 130 Petitions to the Commissioner	
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	
1808	180	1808 180 Submission of Information Disclosure Stmt	
8021	40	8021 40 Recording each patent assignment per property (times number of properties)	
1809	770	2809 385 Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810 385 For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801 385 Request for Continued Examination (RCE)	
1802	900	1802 900 Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid			
SUBTOTAL (3)		(\$0.00)	

(Complete if applicable)

Name (Print/Type)	Steven R. Sponseller	Registration No. (Attorney/Agent)	39,384	Telephone (509) 324-9256
Signature			Date	10-22-04

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